



Department of Agriculture

BUREAU OF FISHERIES AND AQUATIC RESOURCES

3rd Floor, PCA Building, Elliptical Road, Diliman, Quezon City

Tel. Nos. 929 - 9597, 929-8047

MEMORANDUM

FOR : EDWYN B. ALESNA
OIC, Fisheries Inspection and Quarantine Division

FROM : DEMOSTHENES R. ESCOTO
OIC, Legal Division

DATE : September 16, 2020

SUBJECT : LEGAL OPINION WHETHER A SUPERMARKET CAN BE CLASSIFIED AS WET MARKET

This refers to your Memorandum dated 14 September 2020 wherein you are seeking for a legal opinion whether a supermarket can be considered as wet market in relation to regulations on importation of chilled/frozen fish and fishery/aquatic products.

Under Rule 61 (c) of Republic Act 8550, as amended by RA 10654, there are two types of importation of fish and fishery/aquatic products. One is for canning, processing and for institutional buyers and the other one is for wet markets. Thus, there are also two Fisheries Administrative Orders (FAOs) promulgated to provide rules and regulations on importation of fish and fishery or aquatic products.

FAO 195 provides for the rules and regulation on importation of fresh chilled/frozen fish and fishery/aquatic products for canning, processing and for institutional buyers. FAO 259, on the other hand, provides for the rules and regulations for importation of frozen fish and fishery/aquatic products for wet markets.

Wet market is a generic term used to refer to a place where people can sell their product generally to the public. It does not specifically refers to "talipapa" or "pamilihang bayan".

Considering the premises mentioned above, it can be inferred that anything that is imported which are not for canning, processing or for institutional buyers can be classified as importation for wet markets. Thus, for this purpose, supermarkets can be considered as wet markets. Any importer who wish to import fish for supermarkets must do the same under FAO 259.

For your guidance.


ATTY. DEMOSTHENES R. ESCOTO
OIC, Legal Division